

64TH CONFERENCE ON EXCEPTIONAL CHILDREN


WORKING TOGETHER TO ACHIEVE STUDENT SUCCESS

*Thinking Outside of the Box:
Creative Problem Solving for
IEP Teams.*

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PUBLIC SCHOOLS OF NORTH CAROLINA
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Agenda

- IEP Team Membership;
- What an IEP team CAN do;
- What an IEP team CANNOT do;
- IEP team Responsibility and Integrity;
- What if there are disagreements?;
- Scenarios and Discussion
- Q and A




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IEP team membership

NC 1503-4.2 IEP Team


(a) General. The LEA must ensure that the IEP Team for each child with a disability includes—

- (1) The parent(s) of the child; *(Must be invited—may proceed without parent)*
- (2) Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- (3) Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
- (4) A representative of the LEA who -
 - (i) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - (ii) Is knowledgeable about the general education curriculum; and
 - (iii) Is knowledgeable about the availability of resources of the public agency.

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IEP team membership

- LEA rep:
 - Principal or Assistant Principal;
 - EC Director or designee;
 - EC teacher can serve dual role as ECT and LEA.
 - Must meet the three requirements.
 - Must stay for the entire meeting!


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IEP team membership

(5) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in paragraphs (a)(2) through (a)(6) of this section:


(6) At the discretion of the parent(s) or the LEA, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; *(Neither "side" has veto authority over who attends the meeting)*

(7) Whenever appropriate, the child with a disability.

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IEP team membership

- Other options:
 - Possibility of excusal of required members
 - Phone conference
 - Video conference

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What an IEP team CAN do:

- Make decisions regarding FAPE
 - (Annual goals, accommodations, supports, ESY, etc.)
- Make decisions about disciplinary actions through a Manifestation Determination process;
- Make decisions regarding LRE and services;
- Make decisions regarding transition (PreK-K, 5-6, 8-9, HS-post secondary);

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What an IEP team can do:

- Make decisions regarding the individual student's schedule (Modified day);
- Outline actions to be completed in relation to the IEP and services;
- Pre-meet/Pre-plan/make a proposal at an IEP meeting.

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What an IEP team CANNOT (or should not) do:

- Violate federal or state law;
- Violate BOE policy;
- Make decisions regarding promotion/retention;
- Make decisions regarding grades;
- Over-rule Principal discipline decisions except through a MDR;
- Make decisions regarding personnel;

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What an IEP team CANNOT (or should not) do:

- Specify programs in the IEP
- Make high cost decisions without approval from CO;
- Make decisions involving areas (curriculum) or programs (i.e. athletics, extra curricular) without input of those working in those areas;
- Blindly give in to any and every parent request;
- Make excessive accommodations that significantly alter the curriculum and/or the program for the student and other students.

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What an IEP team CANNOT (or should not) do:

- Put in the IEP anything that you cannot deliver or that you cannot sleep with (The Pillow Test);
- State that something cannot be provided due to cost or schedule or adult issues;
- Make decisions regarding school assignment (except for placement in a private school).

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IEP Team Responsibilities and Integrity

- Make professional, data-based decisions regarding the individual student;
- Don't compromise what is right for the student to satisfy an administrator, other team member or yourself;
- Don't give in just to make the parent happy if it is not educationally appropriate;



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IEP Team Responsibilities and Integrity

- Put yourself in the shoes of a doctor making recommendations regarding a patient;
- Make decisions that you can personally support as part of court-room testimony;
- Don't throw others "Under the Bus."



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IEP Team Responsibilities and Integrity


- Decisions are made by consensus:
 - If there is an impasse, then the LEA Rep MUST make the final decision.
- Everyone does not have to leave the IEP meeting totally happy---but the decisions made should be truly in the best interests of the student.



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What if there are disagreements?


- State complaint;
- Mediation;
- Due Process complaint.



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Question & Answers


Scenarios



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Scenario 1:

- Student:
 - 6th grade Male
 - Identified as IDMO
 - Down Syndrome
 - Average height but slightly overweight
 - Basic reading, writing and math skills
 - Behaviors: Elopement, physical aggression, work refusal
 - Setting: In general education classes with two 90 minute sessions of EC pull-out

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Scenario 1

- Concerns:
 - School is concerned about behavior (especially assaults on staff) and academics;
 - Would like to move student to self-contained class at another school.
 - Parent wants student maintained in the general education environment/home school and does not see any behavior problems at home.

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Scenario 2:

- Student:
 - 11th grade, 16 year old male;
 - Identified as OHI due to ADHD;
 - Also has diagnoses of OCD, and ODD;
 - Grades are slipping from B's and C's to D's in the more difficult academic classes;
 - Suspended 8 days OSS as of November 1st;
 - Suspicion of drug use, including intent to sell and distribute but has not yet been caught at school;
 - Academic difficulties started and behaviors increased after parents divorce and moving out of the familial home.

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Scenario 2:

- School concerns:
 - Changes in academics and behavior;
 - Possibility of drop out;
 - Addressing personal changes
- Parent concerns:
 - Same as above
 - Doesn't want student suspended again
 - Intends to take student off of medication due to cost
 - Believes some teachers and administrators are "out to get him"
 - Does not want student retained in 11th grade
 - Wants student placed in alternative school or another school

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Scenario 3:

- Student:
 - 3rd grade female
 - Identified as AU
 - Limited communication and cognitive skills
 - In a self-contained program for children with AU following Extended Content Standards;
 - Has occasional bathroom "accidents" at school;
 - Behaviors: Constant movement, crying and screaming, picking at arms and legs, occasional elopement and physical aggression.

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Scenario 3:

- School concerns:
 - Getting behaviors under control
 - Working on communication and academics
- Parent concerns:
 - Wants increased time with non-disabled peers;
 - Wants a one on one assistant
 - Doesn't want to be called to come pick her up at all

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Scenario 4:

- Student:
 - 4 year old male student in a daycare site;
 - Identified as DD and receives OT, PT, Speech and special education at the site;
 - Delayed language development with limited ability to communicate with others;
 - Keeps to himself and doesn't interact much with other students or adults;
 - Has started stuttering after the birth of a sibling, and walking with a limp but there does not appear to be a medical reason for this.

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Scenario 4:

- District concerns:
 - Wants to increase EC services;
 - Would like a medical opinion on the limping;
 - Would like to change services from all pull-out to a combination of pull-out/inclusion
- Parent concerns:
 - Wants student in an NC Prek class but there are not slots
 - Not concerned about stuttering or limping—says he's faking.
 - Does not have insurance and does not trust doctors or school.
 - Wants one on one assistant in private day care.

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Question & Answers

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